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Docket No.: 1568.1036

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re the Application of:

Yong-beom LEE et al.

Group Art Unit: 1746

Serial No. 10/036,465 ✓

Examiner: Monique M Wills

Filed: January 7, 2002

Confirmation No: 4903

For: POLYMER ELECTROLYTES AND LITHIUM SECONDARY BATTERY CONTAINING
THE SAME

COMMENTS REGARDING STATEMENT OF REASONS FOR ALLOWANCE

Commissioner for Patents
PO Box 1450
Alexandria, VA 22313-1450

Sir:

The Examiner provided a Statement of Reasons for Allowance in the Notice of Allowability mailed March 17, 2004 in which the Examiner noted that the claims, and particularly claim 1, were allowed based on Formulas 1, 2, or 3. However, it is noted that claim 1 recites additional features believed not have been disclosed or suggested in the manner recited in claim 1 such that patentability is not limited to the specific features noted by the Examiner. Additionally, claim 26 does not recite formula 3 as does claim 1 and is therefore is of a different scope. Moreover, while the Examiner notes that the prior art is silent as to a solid electrolyte having the recited features, it is noted that neither independent claim 1 nor independent claim 26 are specifically limited to solid or a type of solid electrolytes. Lastly, it is respectfully submitted that the remaining claims additionally distinguish over the prior art such that patentability of these claims is not dependent on the features noted by the Examiner.

As specified in MPEP 1302.14, "care must be taken to ensure that such reasons are accurate, precise, and do not place unwarranted interpretations, whether broad or narrow, upon the claims." It is submitted that the Examiner's Statement does not meet these standards and, instead, raises "possible misinterpretations... and possible estoppel effects" (MPEP 1302.14) and, accordingly, should be disregarded.


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It further is submitted that the claims noted above are not constrained by such limitations noted by the Examiner and that the claims speak for themselves as to what features are included therein and are their own best evidence as to the reasons for allowance of same.

Respectfully submitted,

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